

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER



DATE _____

October 28, 2009

MOTOR CARRIER MATTER



DOCKET NO.

2009-168-E

UTILITIES MATTER



ORDER NO.

SUBJECT:

DOCKET NO. 2009-168-E - Carolina Power & Light Company d/b/a Progress Energy Carolinas, Incorporated's Motion for Partial Waiver of Commission Rules 103-331 and 103-336 – A Hearing was Held on this Matter on September 17, 2009. Discuss this Matter with the Commission.

COMMISSION ACTION:

On September 17, 2009, a hearing was held concerning whether or not all investor-owned electrical utilities in South Carolina should be allowed a partial waiver of Commission Rule 103-331 similar to the waiver previously allowed for Duke Energy Carolinas, LLC, and whether Rule 103-336 should be partially waived for all investor-owned electrical utilities for use with non-residential customers. All parties in this docket agreed that such partial waivers should be granted as a protection for all ratepayers who would pay for electricity consumption of commercial or industrial customers who might default on their payments as their financial condition deteriorates. I would note that no commercial or industrial customers who could be covered by the proposed waiver intervened or protested. While I was concerned that granting partial waivers of Rules 103-331 and 103-336 could worsen the financial distress of a business customer during hard times, I am persuaded by the assurances given by each of the utilities that they will work closely with their customers to try to mitigate the negative financial impact that could occur if partial waiver of these rules is granted and implemented. That said, I move that the partial waiver of Commission Rule 103-331 approved by the Commission for Duke should be continued and extended to all investor-owned electrical utilities operating in South Carolina for non-residential customers. I also move that we grant the requested partial waiver of Commission Rule 103-336 to all investor-owned electrical utilities operating in South Carolina for non-residential customers. In addition, I move that the companies provide copies of their internal credit risk rating criteria to the Office of Regulatory Staff and the Commission within thirty (30) days of the date of the order. Finally, I note that the Commission's regulations would not reveal the partial waivers. Therefore, I move that the partial waivers be made temporary until such time as a rulemaking proceeding concerning Rules 103-331 and 103-336 can be held, and new regulations placed into effect by the General Assembly.

PRESIDING: Howard

SESSION: Regular

TIME: 2:00 p.m.

MOTION YES NO OTHER

FLEMING ☐ ☐ ☐ Absent

Family Sick Leave

HAMILTON ☐ ☐ ☐ Not Voting

Attending the National Petroleum Council Meeting in Washington, DC the day of the hearing.

HOWARD ☐ ☒ ☐

MITCHELL ☐ ☒ ☐

WHITFIELD ☒ ☒ ☐

WRIGHT ☐ ☒ ☐

(SEAL)



RECORDED BY: J. Schmieding